

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Irrigation & CAD Department – Allegations of Irregularities against Sri K. Damodara Rao, SE(Retd.) in drawal of mobilization advance in respect of works taken up under Janjhavati Reservoir Project – Disciplinary proceedings initiated - Enquiry conducted – Imposition of a penalty of 3% cut in pension permanently – Orders - Issued.

IRRIGATION & CAD (SER.VII(V&E-2) DEPARTMENT

G.O Rt. No. 372

Dated: 20.04.2013

Read the following :

1. From the General Administration (V&E) Dept. Vigilance report No. 87 (1073/V&E/EI/2005), dated 7-08-2006.
2. G.O.Rt.No.1676,I & CAD (Ser.VII(V&E-2) Dept , dated 19-12-2006
3. From Sri K. Damodara Rao, SE, WSSD dt.12-06-07
4. G.O. Rt.No. 735, I & CAD (Ser.VII(V&E-2) Dept., dated 09-06-2008.
5. From Sri Janak Raj, IPS(Retd.) & IA D.O. Lr.No. 1066/COI-JR/2007, dt.18-06-2010.
6. Govt. Memo No. 29936/ Ser.VII(V&E-2)/09-9, dt. 16-05-2011.
7. Explanation dated 18-07-2011 received from Sri K. Damodara Rao, SE(Retd.)
8. Govt. Memo No. 29936/ Ser.VII(V&E-2)/06-10, dated 13-02-2012.
9. Received representation dated 9-03-2012 from Sri K. Damodara Rao, SE, (Retd.).
10. Govt. Lr. No.29936/Ser.VII(V&E.2)/2006-11, dt.25.08.2012
11. From the Secretary, APPSC, Hyderabad Lr. No.1677/ RT/2/2012, dated:12.09.2012.

In the reference 1st read above, it has been brought to the notice of the Government that Sri K. Damodara Rao, Supdt. Engineer has committed irregularities in drawal of Mobilization Advance in respect of works taken up under Janjhavathi Reservoir Project in Vizianagaram Dist.

2. In the references 2nd read above, disciplinary action has been initiated against Sri K. Damodhara Rao, SE by framing articles of charges.

3. In the reference 3rd read above, Sri K. Damodhara Rao, SE has submitted his written statement of defense duly denying the charges framed against him.

4. In the reference 4th read above, the case has been entrusted to COI for conducting a regular inquiry into the charges framed against the above charged officer by appointing Sri Janak Raj, IPS(Retd.) , COI as I.A as the WSD of the Charged officer is not convincing. In the reference 5th read above, Sri Janak Raj, IPS(Retd.) and Inquiring Authority has submitted inquiry report stating that the charges framed against the Charged Officer are not held as proved.

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5. After careful examination of the inquiry report submitted by the Inquiring Authority, it has been decided to deviate with the findings of Inquiry Authority on the following reasons:-

As far as charge II is concerned, the IA has heavily depended on the contention of the PO. The contention that the guidelines about machinery advance were issued on 20-12-2005, ie, after the release of machinery advance and hence no irregularity has been committed is not acceptable. Clause 49.2 of the agreement conditions clearly stipulates that the machinery advance is for the purchase of machinery and equipment for which satisfactory evidence has to be produced. Machinery already existing with the joint venture or one of its partners cannot be classified as procurement / order for purchase of the machinery. If the machinery is already owned by the J.V. or one of its partners, then what for is the present advance. As such the findings of the IA with respect to charge II are to be differed, as they are in violation of clause 49.2 of agreement conditions.

6. In the reference 6th read above, while communicating a copy of the inquiry report together with the above disagreement factors, Sri D. Damodahr Rao, SE(Retd.) has been directed to submit his explanation, if any, on the disagreement factors of the Government with the findings of the IA.

7. In the reference 7th read above, Sri K. Damodara Rao, SE(Retd.) has submitted his explanation on the disagreement factors of the Government with the findings of the IA and requested for dropping of further action against him.

8. After examination of the explanation of the charged officer, it has been provisionally decided to impose a penalty of 3% cut in pension permanently. In the reference 8th read above, a show cause notice has been issued to Sri K. Damodara Rao, SE(Retd.) with a direction to submit his representation, if any, on the above decision of the Government.

9. In the reference 9th read above, Sri K. Damodara Rao, SE(Retd.) has submitted his representation with a request to drop further action against him.

10. After careful examination of the representation submitted by Sri K. Damodara Rao, SE(Retd.), it has been decided to impose a penalty of 3% cut in pension permanently, as there are no new grounds to consider his request. Accordingly in the reference 10th read above, the Secretary APPSC, Hyderabad has been requested to place the above proposal before the Andhra Pradesh Public Service Commission and communicate its concurrence, for taking further action in the matter.

11. In the reference 11th read above, the Secretary APPSC, Hyderabad has communicated the concurrence of the Commission on the proposal of the Government to impose a penalty of 3% cut in pension permanently against Sri K. Damodara Rao, SE(Retd.).

12. After careful examination of the entire matter, it has been decided to impose a penalty of 3% cut in pension permanently on

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Sri K. Damodara Rao, SE(Retd.). Accordingly Govt. hereby order to impose a penalty of 3% cut in pension permanently on Sri K. Damodara Rao, SE(Retd.) for the irregularities committed by him in drawal of mobilization advance in respect of works taken up under Janjhavathi Reservoir Project in Vizianagaram Dist. A copy of the reference last read above is herewith enclosed.

13. The Irrigation & CAD (Ser.II) Department/ Engineer-in-Chief (AW), Irrigation & CAD Department, Hyderabad shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**SHAILENDRA KUMAR JOSHI
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri K. Damodara Rao, SE(Retd.) through the Engineer-in-Chief (AW),
I & CAD Department, Hyderabad. (w.e.)

The Engineer-in-Chief (AW), I & CAD Department, Hyderabad.

The I&CAD(Ser.II) Department

The GA(V&E) Department, BRK Buildings, Hyderabad

The Accountant General, AP, Hyderabad

The Secretary to VC, APVC, Hyderabad.

The Secretary, APPSC, Hyderabad

SC/SF

//FORWARDED : BY ORDER//

SECTION OFFICER